

## **ORDINANCE 05-28**

### **AN ORDINANCE TO AMEND THE ZONING ORDINANCE #04-09, OF THE TOWN OF NOLENSVILLE, TENNESSEE**

WHEREAS, the Town of Nolensville enacted Zoning Ordinance 04-09 in 2004. Prior to the enactment of 04-09, the Town enacted Ordinance #98-22 in 1998 which amended the initial zoning ordinance of the Town of Nolensville. Subsequent amendments have been enacted prior to the enactment of Ordinance 04-09; and

WHEREAS, The Town of Nolensville Planning Commission met on October 13, 2005, and discussed a new proposed commercial zoning district designed to control the development of large size commercial development.

WHEREAS, the Town of Nolensville Planning Commission has recommended certain the amendments to the Nolensville Board of Mayor and Aldermen,

WHEREAS, the Board of Mayor and Aldermen have conducted a public hearing on \_\_\_\_\_, 2005, thereon; and

WHEREAS, The Board of Mayor and Aldermen believe it is in the best interest of the citizens and residents of the Town to revise the Ordinance 04-09 as it relates to the treatment of commercial development;

NOW, THEREFORE BE IT ORDAINED BY THE BOARD AND MAYOR AND ALDERMAN, that Zoning Ordinance 04-09 of the Town of Nolensville is amended by revising said ordinance as follows:

#### ***SECTION 1:***

**The zoning ordinance is amended to create an Article 2.2.13 that reads as follows:**

**2.2.13 Commercial Regional (CR)** The purpose of this district is to allow for larger-scale, heavy retail commercial uses to serve the town and the general area and that are better suited near a major arterial. Primary uses are large retail, accompanied by smaller retail, services, offices, and similar uses, etc., as out-parcels or part of planned commercial centers. Access control is emphasized because of high traffic generation created by these uses.

#### **Permitted Uses**

- Home improvement store
- Restaurants, grills, cafes, coffee houses and similar eating establishments
- Shopping Center
- Convenience store
- Supermarket

- Bakeries (retail)
- General retail
- Fast Food restaurant/w drive through
- Gasoline sales and or service as part of convenience store
- Liquor store (if authorized under Town and State laws)
- Theater/Entertainment Facility
- Professional Office
- Drug Stores
- Medical Office
- Personal Service
- Business Service
- Financial Institution/ATM

#### **Permitted with conditions**

- Automotive/Vehicular Sales
- Veterinary office
- Communication or other tower
- Religious Institution
- Educational Facility
- Retirement Center/Nursing Home
- Funeral Home
- Recreational and Athletic Facilities
- Community Center

#### **Uses Prohibited:**

Any use or structure not specifically permitted by right or by conditional use is prohibited. Adult bookstores/entertainment and nightclubs are specifically prohibited.

#### **Site Regulations:**

Min. Lot Area (in square feet)	25,000
Max. Lot Area (in square feet)	n/a
Min. Street Frontage	100'
Min. Front Yard Setback	
Fronting Arterial Road	70'
Fronting Major Collector	65'
Fronting Minor Collector	20''
Fronting Local Road	20'
Min. Side Yard Setback	20'*
Min. Rear Yard Setback (in feet)	25'
Maximum Floor Area Ratio (FAR)	0.60

Max. Impervious Surface Ratio (ISR)	0.80
Max. Building Height (in feet)	35'**
Minimum Green Space Required	20%

\*50' when abutting residential districts

\*\*exceptions may be allowed for certain architectural features (clocks, towers, steeples)

**Road Reservation** Due to the fact that Nolensville Road is likely to be widened during the next five to ten years and to avoid major impacts on developed properties, consideration shall be made for such widening in the siting of buildings and parking lots. A future right-of-way reservation of 54 feet shall be made a part of all site plans measured from the centerline of Nolensville Road. Any reservations made on private property shall be subject to acquisition at the time right-of-way is acquired for the project.

**Road Setbacks** Road setbacks shall be measured from the road right-of-way line. Road classifications are as established in the Major Thoroughfare Plan, adopted as part of the Town of Nolensville Comprehensive Plan. Road setbacks are dependent upon zoning district and the type of road (arterial, major collector, minor collector or local) which the structure will front.

**Alley/Private Road Setbacks** Alley and private road setbacks shall be measured from edge of pavement.

**Irregular Shaped Lots** Wherever a lot is of such irregular shape that the setback provisions cannot be readily applied, the Town Planner shall interpret the application of the setback provisions.

**Corner Lots** Corner lots shall be considered to have one front yard, two side yards (one exterior and one interior) and one rear yard. For the purpose of determining setbacks, the rear yard shall be the yard on the opposite side of the structure from the front elevation of the structure.

## **SITE DESIGN STANDARDS:**

### **Site Planning**

The planning commission may require the use of common driveways providing access to more than one (1) lot. Connections between parking lots on adjacent parcels shall be provided in order to facilitate the ability of users to pass between the various developed lots without returning to the public street.

A public street or private driveway reservation shall be established at distances along Nolensville Road between 1,000 and 1,500 feet with a minimum right-of-way for a public street being fifty (50) feet and a private driveway being a width of thirty-six (36) feet. This is to guarantee access to the rear of the row of

buildings and to other properties. The potential for the need for a public street shall determine the right-of-way to be reserved. The planning commission may waive this requirement in the event that no such access can be provided due to natural factors or that layout and design of individual parcels are such that access would serve no useful function.

A traffic impact study shall be required for any building or development complex that contains more than 50,000 square feet of floor space or in other developments that in the opinion of the Town Engineer a study is warranted. Developments must not lessen the level of service on adjacent roads. Impact mitigation adjustments may be required by the Planning Commission.

**Building Facades** All exterior building elevations that face public streets and/or customer parking areas shall be designed so that there are no large expanses of blank walls. Building facades shall be designed with windows, doors, walls and other elements that proportionately fit together and are humanly scaled. Recessed doorways should be used, and where the door is not recessed, door canopies or awnings should be incorporated into the design. Each building shall have a clearly defined, highly visible customer entrance with distinguishing features and include prominently displayed street address. The maximum uninterrupted length of any façade shall be one hundred (100) feet. Any such wall in excess of 100 feet shall be integrated with windows, awning, projection, recesses, decorative cornices, arcades or similar features. All sides of a principal building that directly face an abutting public street shall have a clearly articulated public entrance. When any side or rear part of the building is visible from any public street, such side or rear shall also be designed with the same material as the front of the building or compatible materials (see Materials and Colors below). Opaque and reflective windows tints and glazes are prohibited. In order to assure compliance with this requirement, exterior building elevations must be reviewed and approved as a part of the overall final site plan review process.

Corner buildings should be designed with special architectural features including corner entries at ground level and projecting windows, towers, turrets and cupolas on the corners of the upper floors. All buildings on the same site shall be architecturally unified; i.e., related in architectural style, color scheme, and building materials.

National “standard” or trademark designs shall be adapted to be compatible with these standards.

**Materials and Colors** A minimum of fifty (50) percent of the exterior building material placed on any building shall be varying shades of red brick. Other acceptable building materials include natural and artificial stone accents, cement fiber board (hardi-plank), split face block or similar material if used in combination with brick, wood or stone, glass (but excluding opaque or highly reflective window tints and glazes) and painted or stained wood. Prohibited

materials shall include metal or vinyl siding, exposed or painted metal siding, exterior insulation and finish system (trade name DryVit), painted or unpainted concrete block, corrugated fiberglass, and tilt-up concrete panels.

Façade colors shall be of low reflectance, subtle, neutral or earth tone colors. The use of high-intensity or metallic colors shall be prohibited except for accents. Colors shall not be used as a form of advertising even though such color may be a trademark.

**Signs** All signs shall be subject to the requirements of the sign regulations contained in Appendix A of this ordinance.

**Landscaping** The requirements of Appendix B, Landscaping, Buffering and Tree Protection, shall apply within the CR district. Noise buffering of delivery and loading areas shall also be required when abutting residential districts. Any area reserved for future right-of-way acquisition shall be planted with grass. A nineteen (19) feet screening/landscaping section with a 4 feet berm shall be required between the sidewalk along r-o-w and the parking area. The Planning Commission may consider alternate methods for berm such as stone fencing or other comparable methods. The maintenance of all landscaping materials and flowers shall be the responsibility of the property owner, and such maintenance shall be an enforceable item for as long as the life of the project.

**Lighting** Exterior lighting fixtures, standards and exposed accessory lighting shall be compatible with the building design and shall be designed to direct the light downward unless decorative standards are utilized. However, “shoe box” type fixtures may be used. The maximum height of a fixture shall be twenty (20) feet. Security.

**Utilities** All new distribution utility lines shall be underground.

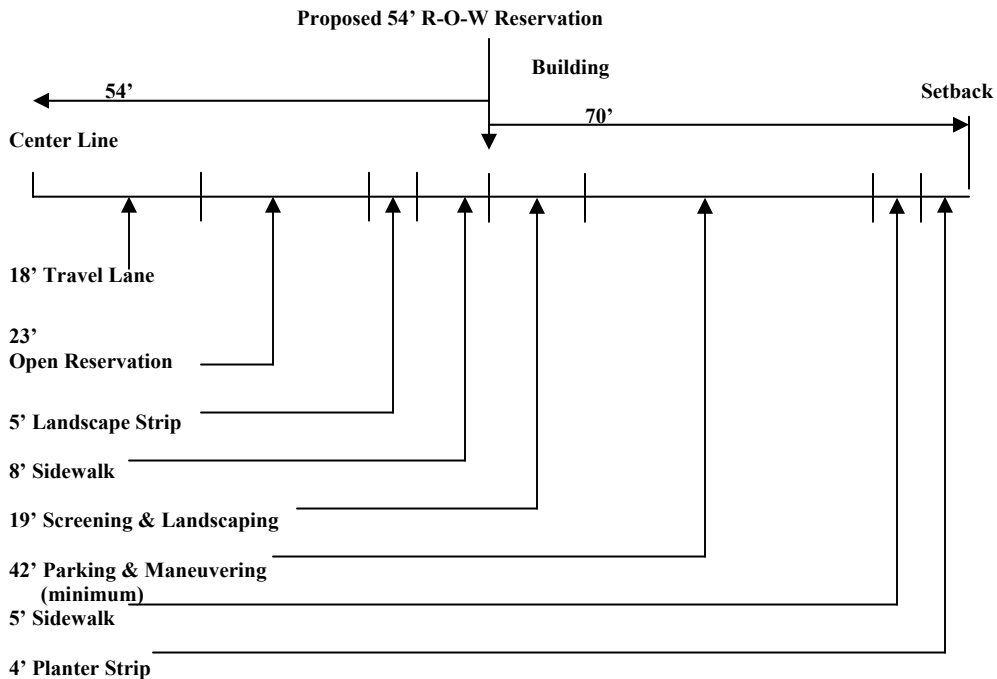
**Sidewalks** The development of each site shall include a sidewalk along the street frontage and landscaping strip with a minimum width of eight (8) feet. Sidewalks shall be designed to lead from and between the parking bays to the building entrance as much as possible and a minimum five (5) feet sidewalk with a four (4) planting strip shall be required along front of building. When a development consists of more than one (1) building, an interconnecting sidewalk system shall be installed.

**Parking** The intent of this section is to avoid excessive expanses of paved parking that are not needed and that cause excessive stormwater run-off. For general retail use buildings larger than 50,000 square feet, parking shall be provided at the rate of one stall per 300 square feet. The Planning Commission shall have the authority to adjust this rate, up or down, upon review of sufficient evidence from the developer that this rate is either inadequate or excessive for the proposed use. All surface parking spaces provided in excess of thirty percent

(30%) over the minimum requirement shall be made of pervious materials approved by the Town Engineer for the entire overflow area. The Planning Commission shall only approve such additional spaces for overflow events, seasonal demands, and so forth, based upon the reasonableness of the request.

**Open Yards** Open areas for the sale, rental and/or storage of materials or equipment shall not be allowed unless the entire area is screened from the street and adjoining properties by a suitable fence or wall at least six feet in height above finished grade and only if they are extensions of the sales floor into which patrons are allowed free access. Such fence or wall must provide a reasonable visual separation between the use and public streets and adjoining properties.

### **Nolensville Road Corridor Cross-Section Plan Commercial Regional District (facing major arterial)**



#### **SECTION2:**

**Article 4.1.3B under Temporary Use Regulations is amended as follows:**

**Under Fireworks Sales, delete the following phrase that reads:**

Permitted in the ER, V, CS, and PI zoning districts.

**And replace with the phrase that reads:**

Permitted in the ER, V, CS, CR, and PI zoning districts.

*SECTION 3:*

**The provisions contained herein shall be incorporated in the zoning ordinance #04-09, as amended, which ordinance shall now be designated as ordinance #04-09. The adoption of this ordinance is the adoption of the entire zoning ordinance as modified and amended by this ordinance and the Zoning Ordinance shall hereinafter be referred to as ordinance #04-09.**

*SECTION 4:*

The Mayor and Board of Aldermen of the Town of Nolensville, Tennessee, hereby certify that these amendments have been submitted by the Planning Commission of the Town of Nolensville, and a notice of hearing thereof has been ordered has been ordered of the time and place of said meeting has been published in a newspaper circulated in the Town of Nolensville, Tennessee. This Ordinance shall take effect immediately from the date of its final passage, the public welfare demanding it.

\_\_\_\_\_  
Charles F. Knapper, Mayor

Attest: \_\_\_\_\_  
Town Recorder

Approved by: \_\_\_\_\_  
Town Attorney

Passed 1<sup>st</sup> Reading: \_\_\_\_\_

Passed 2<sup>nd</sup> Reading: \_\_\_\_\_

Public Hearing: \_\_\_\_\_

